

MINUTES
INLAND WETLANDS AGENCY
NOVEMBER 10, 2010 - 7:00 P.M.
TOWN HALL ANNEX - COMMUNITY ROOM 2

I. ROLL CALL

Agency: Scott, Sutphen, Block, Ashworth, Furlong, Williams
Staff: Jones, Silsby

The meeting was called to order by Chairperson Scott at 7:02 p.m.

II. PUBLIC COMMUNICATIONS – None

III. APPROVAL OF THE MINUTES OF October 26, 2010 and October 27, 2010

MOTION: To approve the minutes of October 26, 2010

Motion made by Sutphen, seconded by Block, so voted 5 in favor, 1 abstention (Williams). Motion Carried

MOTION: To approve the minutes of October 27, 2010

Motion made by Sutphen, seconded by Block, so voted unanimously

IV. NEW APPLICATIONS

1. New Applications – None

V. PENDING APPLICATIONS

1. Palmer Residence, 0 New London Road

Attila Keller, Applicant, and Philip Palmer, Administrator for the Estate of Luther and Bernice Palmer, were present for this application.

Staff presented revised plans. Keller reviewed the revisions noting that the house has now been shifted 35 feet away from the wetlands and a stone wall is shown 5 feet from the wetlands. Discussion followed about the preferred distance of the stone wall to the wetlands. Installing large boulders instead of a stone wall was brought up and was the preferred option for the Agency. Most members preferred the stone wall to be 10 feet away from the wetlands for this reason alone.

Sutphen can not support this permit because she feels that the work is too close to the wetlands but would hope that those member's who support this, would approve the 10 foot distance and not the 5 foot.

MOTION: To approve the Palmer Residence application for the following reasons:

1. There is no loss of wetland or watercourse associated with this application.

2. The applicant has moved the house to the front building set back line and away from the wetlands.

This permit is subject to the five standard conditions and the following additional conditions:

1. A boulder wall shall be constructed south of the proposed house no closer than 10 feet from the wetlands to delineate the edge of permitted disturbance.
2. The sediment fence shall be placed south of the boulder wall required by condition number 1.
3. The limit of clearing and the location of the boulder wall shall be flagged or staked in the field and shall be inspected by the Environmental Planner prior to the start of construction.
4. Revised plans reflecting the changes required by this approval shall be submitted to the Environmental Planner prior to the start of construction.

It was noted that the construction of the house would be within 35 feet of wetlands.

Motion made by Block, seconded by Ashworth, so voted 5 in favor, 1 opposed (Sutphen)

VI. NEW BUSINESS

1. Wetland Regulation Amendment Discussion

The Agency discussed the proposed regulation amendments that were distributed at the last Wetland meeting. Staff stated that she will make an application once the Agency is comfortable with the wording and after she has sent the amendments to the Town Attorney for review.

Ashworth reviewed Section 11-2 and referred to the requirement that Staff notify the Agency of any permits issued "at the next scheduled meeting". He felt that adding a minimum time frame should be specified because some meetings do get cancelled. Pros and cons of giving authority to the Environmental Planner to approve permits under limited circumstances were discussed.

Furlong noted that regulated areas around streams and brooks would be increased as part of this regulation amendment package, which may potentially increase the number of permit applications that are made to the Town. Staff noted that other towns have authorized their Agents to issue permits for activities in the regulated area. The Agency expressed concern that the training for a "Duly Authorized Agent" is not very rigorous. While they have little concern about their current agent handling this

responsibility, in the future, someone else with less experience may hold this position. The Agency is not in favor of this new language.

Staff will eliminate Section 11 from the amendment package and forward the proposed language to the Town Attorney for review.

2. Zoning Regulation Text Amendments – Zoning Commission Referral

Furlong suggested changing the wording of Section 6-11, item B-10, from “May be” to “Shall be”. The Agency agreed that this would strengthen the Erosion Control Plan language.

3. Report of Chair

Scott asked Staff to continue to inspect the property at 65 Pequot Avenue.

4. Report of Staff

Staff stated that trees are being cleared and woodchips are being brought in on a lot on Allyn Street. She explained that nearby homeowners have expressed their concerns to her. A letter has been sent to the owner explaining the concerns about the wetlands but no reply has been received as yet. Staff will send a Notice of Violation to the owner of the lot and invite them to the next meeting.

Staff stated that a Swan Lane homeowner has submitted a building permit to the Town requesting to install a shed on his property. At the time, he was not aware that wetlands existed on his property. Staff reviewed the location of the proposed shed on the GIS map and presented photos. She noted that a 75 foot buffer currently exists. Staff noted that the shed would be on crushed stone and that the original subdivision plans imposed a 75 foot buffer from the wetlands. The Agency stated that the owner would need to apply for a wetland permit.

Furlong will not be attending the next meeting on December 8, 2010.

VII. ADJOURNMENT

Meeting adjourned at 7:56 p.m.

Barbara Block, Secretary
Inland Wetland Agency

Prepared by Robin Silsby
Office Assistant II